		Re.	a.	p.
10.	On every cart or other vehicle not on springs drawn by 8 bullocks, buffaloes, horses, ponies, asses or mules, if not laden	0	8	0
11.	On every cart or other vehicle not on springs drawn by 6 bullocks, buffaloes, horses, ponies, asses or mules, if laden ...	0	8	0
12.	On every cart or other vehicle not on springs drawn by 6 bullocks, buffaloes, horses, ponies, asses or mules, if not laden	0	4	0
13.	On every cart or other vehicle not on springs drawn by 4 bullocks, horses, buffaloes, ponies, asses or mules if laden. ...	0	6	0
14.	On every cart or other vehicle not on springs drawn by 4 bullocks, horses, buffaloes, ponies, asses or mules, if not laden	0	3	0
15.	On every cart or other vehicle not on springs, drawn by 2 bullocks, buffaloes, horses, ponies, asses or mules, if laden ...	0	4	0
16.	On every cart or other vehicle not on springs drawn by 2 buffaloes, bullocks, horses, ponies, asses or mules, if not laden	0	2	0
17.	On every cart or other vehicle not on springs drawn by a single bullock, buffalo, horse, pony, ass or mule, if laden ...	0	2	0
18.	On every cart or other vehicle not on springs drawn by a single bullock, buffalo, horse, pony, ass or mule, if not laden	0	1	0
19.	On every buffalo or bullock per head, if laden	0	1	0
20.	On every buffalo or bullock per head, if not laden	0	0	6
21.	On every elephant	1	0	0
22.	On every camel, if laden	0	4	0
23.	On every camel, if not laden	0	2	0
24.	On every horse, if laden or ridden ...	0	1	6
25.	On every horse, if unladen or unridden ...	0	0	9
26.	On every thattu or mule, if laden or ridden	0	0	9
27	On every thattu or mule, if unladen or led	0	0	6
28.	On every ass, if laden or ridden ...	0	0	6
29.	On every ass, if unladen or led ...	0	0	3
30.	On every sheep, goat or pig ...	0	0	1
31.	On every palanquin, dooly, palna or tonjon with two bearers	0	2	0
32.	On every palanquin, dooly, palna or tonjon with more than two bearers ..	0	4	0

N.B.—Animals drawing any vehicle for which toll can be demanded are not also to be charged with toll.

STATEMENT OF OBJECTS AND REASONS.

The Bill has been prepared in the light of the recommendations of the Local Self-Government Conference of 1923, the discussions that took place at the Dasara Session of the Representative Assembly of 1924 on the Memorandum placed before that Body by the Government and with a view to give effect to Government Order No. L. 4542-71—L. B. 104-24-1, dated 23rd December 1924, passing orders on the further development of Local Boards in the State. As the control of the Administration of the Panchayets will under the above orders, be transferred to the local Revenue authorities, a separate Village Panchayet Bill has been already drafted. As the Taluk Boards will be

abolished, it has become necessary to consolidate and define the law relating to the District Boards and District Funds only and hence this Bill.

NOTES ON CLAUSES.

Clause 1. The use of the words "Local Boards" as in the Regulation of 1918 is not, therefore, necessary and the new Regulation is accordingly styled "The Mysore District Boards Regulation".

Proviso to clause 1. This enables elections being held after the commencement of the Regulation but before the introduction of the provisions thereof to any District, so that District Boards may be constituted under the new Regulation with effect from a specific date.

CHAPTER II.

This Chapter is framed mainly after the provisions of the Bombay Act of 1923, and provides substantive provisions, as in the Mysore Municipal Regulation regarding the details of constitution of District Boards which is now regulated by the rules framed by the Government and it has been made fuller.

Clause 7. Elections are to be from general constituencies and special constituencies. The general constituencies will of course be the Taluk rural constituencies and the special ones will be those representing special interests such as Inamdars, Associations, etc.

Clause 9 and Schedule I. For special constituencies, special rules have to be prescribed. For general constituencies, the rules in force regarding elections to the Representative Assembly and the rules in force for election to Taluk Boards have been adopted with necessary modifications. The rules in regard to the Representative Assembly elections do not recognise the right of owners of parts of Inam Villages and minor Inams, assessable to a land revenue of Rs. 25 a year and the right is conceded only to Inamdars of whole Inam villages with a beriz of Rs. 125. This defect has been remedied in the Regulation by following the present Local Boards Rules also as far as possible.

Clause 10. The disqualifications of voters are set out in this clause. Persons of unsound mind, and undischarged insolvents and bankrupts are proposed to be disqualified in addition to those specified in Section 9 of the Bombay Act.

Clause 13. This provides for nomination of members in certain cases and gives power as in Assam to the Deputy Commissioner, when the election is not contested, to declare as elected the duly qualified candidates competing for the places open for election.

Clause 14. At present, elections to the District Boards are made from the Taluk Boards and no provision is made in the Regulation itself for settlement of election disputes. In the case of elections to Taluk Boards, the rules empower the Deputy Commissioners to set aside any election with the approval of the Government on the ground of fraud, intimidation, bribery, etc. As the elections to the District Board will be made in future directly by the voters, it is necessary that all disputes arising in that connection should be judicially disposed of. This clause also deals elaborately with corrupt practices at elections and disqualification of persons committing corrupt practice for membership of District Boards for a period not exceeding five years and is adopted from Section 19 of the Bombay Local Boards Act and Section 22 of the Mysore Municipal Regulation.

Clause 15. This takes away the power of voting at elections from persons declared by the Judge as disqualified for membership under clause 14, so long as such disqualification lasts.

Clause 17 (3). This is based on Municipal Regulation 23 (7 A.). Deputy Commissioner will be President during an interregnum as in District Headquarter Municipalities.

Do (4). The appointment of Vice-President is made discretionary with the Government. In case there is a non-official President there will be no need generally for a Vice-President, if the District Board appoints a Chief Officer for supervising the executive work in the District. If it is decided to have a Vice-President, he should be elected by the Board.

This prohibits election of salaried servants of Government as Presidents and Vice-Presidents. Clause 18 (2).

At present, Vice-Presidents of Local Boards are under Government Order No. L. 3891-906—L. B. 37-24-10, dated 27th November 1924 required to have their residence within a reasonable distance of their Head-quarters. As the Taluk Boards will be abolished, it is necessary that Vice-Presidents and Presidents of District Boards, nominated or elected, should live at the District Headquarters of the District. Do (3).

This enables the District Board to elect a Vice-President in lieu of the permanent Vice-President, if any, doing the duties of the President on leave and to have an elected President during the absence on leave of a President appointed by name by the Government. Clause 22 (2).

This enables the Government to remove an elected or nominated President or Vice-President from his office when he does not command the confidence of the members. Clause 23.

The maximum term of office of members is fixed at 4 years as in Section 17 of the Municipal Regulation. Clause 24.

This enables the Government to remove any member on the recommendation of the District Board and requires that members before removal should be given an opportunity of being heard. Clause 27.

CHAPTER III.

This chapter deals with the conduct of meetings, formation of Committees, Joint Committees and matters connected with the carrying on of business of the District Boards and is based mainly on the Bombay Act as well as those in Madras and Mysore.

Government sanction for holding meetings at other than Headquarters of the District is considered necessary in order to keep down the expenditure on account of travelling allowances and to see whether the additional expenditure proposed is absolutely necessary. Clause 29 (1).

As in this matter it is difficult to distinguish substantive provisions of law from those that may be relegated to the rules, almost the whole of the provision in sub-section (2) of Section 35 of the Bombay Act has been incorporated in the Bill. Clause 29 (2).

The present rule requires at least 10 days' notice of an ordinary meeting. In the Bill the minimum is raised to 21 days in accordance with the Bombay Act. A longer duration is necessary as the District Board will have to deal with rural representatives living in distant parts of the District. Clause 29 (2) (b).

The minimum quorum of 5 members required in the present rules for an adjourned meeting is dispensed with in this clause in accordance with Section 26(7) of the Municipal Regulation and the Bombay Act. Clause 29 (2) (c).

These provisions have been made with a view to prevent Presidents and members from presiding or voting when matters in which they have any pecuniary interest are either discussed or considered. Clause 29 (2) (g) & (h).

A doubt was expressed by the President of the Mysore District Board as to whether members of the District Boards could send propositions for discussion before the District Board and in Local and Legislative Secretary's letter No. L. 9032—L. B. 136-23-2, dated 21st May 1924, Government decided that every member has such a right. These sub-clauses have been introduced to remove all ambiguity in the matter and also to empower the members to interpellate the President. Clause 30 (1) and (2).

This introduces an important change. In the existing Regulation there is provision for the appointment of a Finance Committee and an Economic Committee and Joint Committees. As the District Board is rather an unwieldy body, there should be a Standing Committee as in Bombay to deal with all routine matters between the quarterly sittings of the Board and to act in the same way as Managing Committees in Municipalities. This Committee may also do the work now expected of the Finance Committee. Clause 31.

Clause 32. This provides for a single Committee for each District Board for economic work in lieu of 3 Committees as provided in Section 17A of the existing Regulation, *vide* Government Order No. 673-95—Mi. 79-24-1, dated 26th July 1924.

Clause 33. This enables the District Boards to appoint Public Health Committees to perform the duties and exercise the powers of the Boards in matters of Public Health and Sanitation as in Bombay.

Clause 35. In addition to the District Medical and Sanitary Officer and the Executive Engineer and the District Inspector of Schools, the Senior Surgeon and Sanitary Commissioner, the Veterinary Superintendent and Assistant Superintendent, the Live Stock Expert, the Director, Deputy Director and Assistant Directors of Agriculture and the Registrar and Assistant Registrars of Co-operative Societies are empowered to attend meetings of District Boards and Committees thereof and to address such Boards and Committees when any matter affecting their department is under discussion and they are required to furnish advice when called upon to do so.

Clause 36. Contracts and agreements of value exceeding Rs. 500 are required to be in writing and to be signed by the President and two members and sealed with the common seal of the Board.

Clause 39. This has been added to ensure proper execution of works involving public safety and heavy outlay, by the agency possessing the required professional skill and embodies the provisions of the existing rules.

CHAPTER IV.

PROPERTY AND DUTIES.

In the existing Regulation, the duties of Local Boards have been summarised in Section 8. The arrangement of matter in the Bengal Act is considered more suitable as it deals side by side with duties and powers. The sections of the Bengal Act which could be advantageously adopted have been incorporated in the draft Bill.

Clause 43. This provides for the devolution of the properties under the control of the old Boards to the District Boards to be constituted under the Regulation with the exception of those that come within the purview of Village Panchayets.

Clause 45. The duties of the District Boards are enumerated. Control over cattle-pounds is not included as this function has been assigned to the Panchayets. The functions enumerated are wide enough and they have to be undertaken so far as funds permit, the most important being those relating to "communications, medical relief, vaccination and veterinary services." Encouragement and development of Co-operative Societies is newly included in the functions of District Boards.

District Boards are, at their option, empowered to provide for registration of births and deaths in accordance with Government Order No. L. 530-48—L. B. 58-24-2, dated 23rd July 1924, and they are also entrusted with the power to construct railways and tramways and to guarantee the interest on capital expenditure on any railway, tramway or work directly improving the means of communication.

Clause 46. District Boards may take over property from a private person with all his rights thereto.

Clause 47. This empowers the Government to transfer certain properties to the control and administration of District Boards. The property in such cases does not become vested in the Board.

CHAPTER V.

POWERS, OFFENCES AND PENALTIES.

Clause 50. This gives power to District Boards in regard to the alignment of roads or in dealing with roads over which the public has acquired a right of way.

Clause 52. This provides for control of unwieldy traffic and excludes from its operation motor vehicles licensed under the Mysore Motor Vehicles Rules.

The provision contained in Section 38 (*c*) and (*b*) (*ii*) and (*iii*) of the existing Regulation are improved so as to enable the District Boards to make the cart-stands and markets a source of income to themselves, by declaring that no private cart-stand or market will be allowed to come into existence after this Bill becomes law. Clause 54.

This deals with the control of dangerous and offensive trades by means of licenses. In view of the interpretation of the word "oil-boiling" on page 294 of Volume XXIX of the Chief Court Reports, the words used in the Calcutta Corporation Act, *viz.*, "boiling, pressing, cleansing, preparing, manufacturing by any process whatever, oil (edible or non-edible)." have been incorporated in Schedule II as in the draft Bill to amend the Municipal Regulation. Clause 55.

This provides for compromising and compounding offences. Clause 60.

CHAPTER VI.

FINANCE.

This is based on Section 23 of the existing Regulation with such modifications as were found necessary owing to the abolition of Taluk Boards. The balance at the credit of the District Boards at the commencement of the Regulation will go to the District Boards constituted under the new Regulation. In respect of the balances at the credit of the Taluk Boards, power is reserved to the Government to direct whether the whole or only a portion thereof should go to the credit of the District Board concerned. The balance, if any, of the Taluk Fund not credited to the District Fund will be assigned to the village fund. Clause 63.

District Fund should be expended in the area in which it is raised, but with the sanction of the Government it may be spent outside the area. The sanction of Government acts as a safeguard against indiscriminate use of local finances outside the areas under the authority of individual District Boards. The proviso deals with the exceptions to the general rule laid down. Clause 65.

There is no specific provision for levy of tolls in the present Regulation and all the existing rules in the matter relating to the levy and recovery of tolls are incorporated here. Clause 66.

Education cess will be made a compulsory levy in future, *vide* para 10 of Government Order No. L. 4542-71—L. B. 104-24-1, dated 23rd December 1924. Clause 67.

Levy of special cess for carrying out any of the duties of the District Board is authorised by this. Clause 69.

This provides for authority to levy fees for permissions issued and rents for the use of District Board property. Clause 70.

Land cess and cess on Excise and Forest Revenue and Railway cess and Education cess are collected by the agency of the Revenue Department. It is only for other items that a specific agency is required. Power is given to lease the right of levying tolls and fees under the Regulation. Clause 71.

This provides for raising loans for specific purposes. Loans will mostly be required to improve communications by construction of railways and bridges both of which involve heavy initial capital cost. Power is taken to the District Boards to form a sinking fund for repayment of loans raised. Clause 72.

This provides for the grant of loans to encourage local arts and industries and is in accordance with the resolution arrived at in the Representative Assembly. Clause 73.

This relates to grants-in-aid to schools and medical institutions. Power is taken to the Government to require District Boards to contribute towards maintenance of institutions which indirectly benefit the inhabitants. Clause 74.

This is based on section 57 of the Municipal Regulation and provides for discontinuance or reduction, after notice of not less than 6 months, of contributions promised for a specified or unlimited period. Clause 75

This relate to budgets and is practically the same as section 28 of existing Regulation. Submission of supplemental estimates is dispensed with and District Boards are expressly permitted to sanction re-appropriation of sanctioned grants. Clause 76.

CHAPTER VII.

RECOVERY OF DUES.

The provisions of this Chapter are an improvement on the provisions in the existing Regulation. The chief feature is that the Chapter indicates as to how distraint and sale of movable property of a defaulter has to be carried out.

Clause 84 (2) As in section 162 of the Land Revenue Code, all property of the defaulter exempted from distraint or sale in execution of a decree will also be exempted from distraint or sale under the Regulation.

Clause 85. This provides for arrears at the commencement of the Regulation being recovered as though they had accrued under the Regulation.

CHAPTER VIII.

OFFICERS AND SERVANTS OF DISTRICT BOARDS.

Clause 87. This provides for the appointment, if necessary, of a Chief Officer, a Health Officer and an Engineer or any one or more of them and is based on the provisions of the Municipal Regulation with suitable changes. The salaries of these officers will be fixed by the Government with due regard to the financial condition of the District Boards concerned.

Clause 88. This provides for the appointment of other officers and servants of the District Board subject to the rules of recruitment framed by the Government. The rules issued in Government Order No. Ml. 145-24-2, dated 19th February 1925, passing orders on the resolution of the Representative Assembly regarding employment of Government Servants for superior appointments under District Boards and Municipal Councils have to be deemed to have been issued under this section.

CHAPTER IX.

CONTROL AND MISCELLANEOUS.

Clause 90. Power is expressly given to Government to amend resolutions of District Board which are wrong or contrary to law.

Clause 91. This is introduced to give effect to the resolution of the Local Self-Government Conference approved by the Representative Assembly and accepted by the Government in regard to the Deputy Commissioners being empowered to inspect District Board Offices and call for records of any case and submit the same to the Government if necessary.

Clause 97. Disputes for which no provision is made elsewhere, arising between two or more District Boards or between a District Board and one or more Municipal Councils should be referred to the Government.

Clause 98. This relates to power of Government and Deputy Commissioners over subordinates and is based on similar sections in the Municipal Regulation and the Bombay Act.

Clause 99. Government will have to make rules in the following cases:—

(*a*) in all cases where the Regulation clearly says that rules shall be prescribed.

(*b*) in all matters where the District Board has no power to frame bye-laws,

(*c*) in those matters where although no specific provision has been made in rules, it is necessary that Government should lay down the rules which should be observed in carrying out the provisions of the Regulation.

The rules making power is an important one and it has to satisfy two conditions. It should be specific and it should be consistent with the provisions of the Regulation. These principles have been followed and the clause is drafted on a comparison of the provisions in the several British Indian enactments.

Clause 100. This section provides for changes in certain specific matters, especially where experience dictates frequent changes. When the schedules are altered, they shall have the force of law. It will not be necessary to introduce amending bills. The section is based on a similar provision in section 201 of the Madras Act. The Schedules relate to qualifications of voters, purposes for which premises may not be used without licenses and the maxi-